

	<p>ROCHESTER PARK AND RECREATION DEPARTMENT BOARD OF PARK COMMISSIONERS MEETING OF TUESDAY, MARCH 12, 2013</p> <p>The special meeting of the Board of Park Commissioners was held on Tuesday, March 15, 2013 in Room 320 of City Hall. Board President Rod Toomey called the meeting to order.</p>
BOARD MEMBERS PRESENT	Rod Toomey, Nora Dooley, Michael Quinn, John Sipple, Dr. Paul Scanlon, and Larry Mortensen
STAFF MEMBERS PRESENT	Ron Bastian, Dale McCamish, and Kelly Evans
VISITORS/DELEGATIONS	None present.
MEDIA PRESENT	None present.
DISCUSSION OF SAG REPORT	<p>Mr. Toomey asked what the Park Board wants to accomplish at this meeting and opened up for discussion.</p> <p>Mr. Mortensen said that he felt the Park Board should make some kind of written response to the proposed changes at the Mayo Civic Center (MCC). Whether this is appropriate or not can be discussed. Mr. Mortensen had previously crafted a trial balloon of his thoughts and brought them to the meeting today. He read the following opening comment and then passed out his trial balloon:</p> <p><i>As part of this discussion I feel a need to express my personal disappointment in the handling of this matter. It is very clear that City Council has made its decision regarding the governance of the Mayo Civic Center. This decision was made without any regard to or dialogue with the current governing body - the Park Board. For me personally this shows disrespect of the citizens who serve on this Board & can quite frankly makes me ask myself the question "why should I bother to volunteer my time and energy as a Board member."</i></p> <p><i>In a recent article in the PB Council person Hruska suggests from his research the MCC is only 10% of the responsibilities of the Park Board. It is my observation that the Park & Rec Board has devoted whatever time is needed to oversee the our MCC responsibilities. To me our Board actions in support of the MCC have been most appropriate; unfortunately special interests parties and politics have created an on again off again paralysis surrounded the MCC expansion limiting any proactive actions on the part of the Park Board regarding the civic center.</i></p> <p><i>Having said all that I recall some wise words spoken by my father long ago - simply put 'You can't beat City Hall.' I do believe it is appropriate for the Park Board to provide the City Council a written response regarding this issue & I understand the City Administrator has also provided the Council with some good suggestions as well.</i></p>

	<p>Ms. Dooley passed around her written thoughts and read through them as follows:</p> <p><i>The Strategic Advisory Group (SAG) operational and management analysis of the Mayo Civic Center (MCC) presents our community with some important findings. First and foremost of these results would be that, under the governance of the Parks Board, the financial performance of the MCC has met and/or exceeded standards when compared to relevant benchmarks. In addition to the fiscal vitality of the MCC, the SAG report outlines a key additional finding in that the MCC excels in its number of attendees, exceeded only by cities with a significantly larger population base. It is despite these findings though that the authors of the SAG analysis recommend that the governance of the MCC should be under an entirely new model.</i></p> <p><i>That being said, it is perhaps beneficial to have a group of individuals selected to form a MCC governing body with their sole task being to focus on the MCC facility. What is critical, however, is that the transparency of the processes used to select and direct this new governing body allow for both public input and discourse. Furthermore, the leadership of both Mayor and Rochester City Council will be needed to ensure that there is representation on this body that is reflective of the diverse needs of our community. If SAG is to serve as the facilitator for such a process, the Mayor and Rochester City Council would hopefully clearly direct this group to prioritize and incentivize the value of community-based events and civic engagement that improves the quality of life for the residents of Rochester and not just view “heads on beds” as a metric for success.</i></p> <p><i>Additionally, as the MCC is a public facility funded by tax dollars and the proposed new governing board would be voluntary, it would only seem responsible to have the director of the MCC report to the City Administrator. This measure would not only allow for the City of Rochester to exercise its due diligence in oversight but it would also provide the continuity of care that is indicated for such an active public venue.</i></p> <p><i>It is clear that Council President Staver, the members of City Council and Mayor Brede remain very receptive to hearing and addressing the concerns of the Park Board and we are appreciative of that fact. While we recognize that significant change can come with certain challenges, we welcome the opportunity to work together in this transformative process to create a bright future for everyone in our community.</i></p>
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	<p>Ms. Dooley feels we need to recognize that a new governing body will be moved forward and would much rather have an impact on the process and selection vs. taking the position of telling the City Council exactly how we feel and then no longer be welcomed at the table.</p> <p>Mr. Mortensen said his trial balloon includes many of the thoughts expressed by Ms. Dooley. His opening statement expressed his personal disappointment on how this has been handled.</p> <p>Mr. Toomey said it is apparent that there are two choices. He stated that the ship left a couple of years ago for a new governing body of the MCC. It is his personal opinion that the City Council could have been more forward on this. Mr. Toomey thinks we should try to be positive and foster a positive outcome. The other path the Park Board could take could create long-term discontent between the Park Board and City Council and he does not think anyone wants that. Mr. Toomey said we can individually express our disappointment and he has expressed his disappointment but the City Council wants a board that is strictly focused on the MCC. Mr. Toomey thinks the Park Board should take the position of being positive and having a say in the outcome of the new board.</p> <p>Mr. Mortensen is fine with that but stated he is very disappointed.</p> <p>Mr. Quinn said the supposed issues have always been issues. The reason nothing changed with the MCC in the past is the people on the Park Board said it is not going to change as we are not going to clean up a mess for someone else down the road. Mr. Quinn noted that there have been strong personalities on the Park Board that knew the potential problems that would result of taking the MCC outside the public operation and putting it in the hands of a few people. He wants to know who is going to cover the costs associated with the changes. Mr. Quinn wondered what will happen if they cannot get the number to a certain point as there is going to be a bigger loss if that is the case. If the new governing body wipes their hands of the MCC in a couple/few years, he wonders where it will land. Mr. Quinn noted that not everyone involved is 100% behind the change. He is concerned that we will have a bigger problem down the road because of costs and not being able to meet the numbers.</p> <p>Mr. Toomey stated that the drive to take the MCC away from the Park Board has nothing to do with this Board's handling of the MCC. We are a player but we do not have control. Rather, the control is somewhere else and they have made up their minds. Mr. Toomey said it is frustrating as the Park Board did</p>
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pretty much everything right, did due diligence, and did what we were appointed to do. He understands personally the civic mindedness of the MCC and also understands as a businessman the economic impact to the City. Mr. Toomey feels the Park Board has maintained that philosophy, he hopes the new board maintains that philosophy, and hopes our board can have an impact on that.

Dr. Scanlon suggested going through the bullet points of Mr. Mortensen's trial balloon and making a determination on the important things that should go into the transaction....what the Park Board feels strongly that should go into a new board.

Mr. Toomey pointed out that the Park Board has the governance of the MCC until the handoff is completed. We need clear direction on our role in the MCC until the hand off. Mr. Toomey asked that the Park Board try to be as positive as we can and noted that the MCC has to continue to operate. Ms. Dooley stated that the MCC is still under the Park Board's governance until formal action is taken by the City Council. Mr. Toomey said we need to get the City Council to acknowledge that and give us direction.

Dr. Scanlon referred to the Civic Theatre and Art Center that are City owned facilities managed by independent organizations that are fairly substantially subsidized by the City. He said we could potentially take a look at those as models for how the MCC should or could function in the future. Ms. Dooley questioned if the Park Board wants to focus on management issues vs. principles that we hope are maintained.

Dr. Scanlon stated that governance is the most important aspect. He would like the Park Board to give input on how the new board should be represented....a stakeholder board vs. a citizen board.

Mr. Mortensen said that he chuckled at the professional board comment as the current Park Board consists of extremely professional members of the community and listed each member's professional experience and community involvement.

Mr. Toomey asked if the City Council plans to come to a conclusion on Monday as to what they are going to do. He asked if the City Council asked for direction from the Park Board. Mr. Mortensen and Ms. Dooley both answered that it is their understanding that the City Council is planning to come to a conclusion at Monday's Committee of the Whole (C.O.W.) meeting and did not seek direction from the Park Board.

Mr. Quinn noted that the City Council has Stevan Kvenvold's ordinance proposal in front of them. Mr. Sipple stated that his impression is that the City Council is looking for more feedback.

Mr. Toomey asked if a set of recommendations from the Park Board would be appropriate and welcomed. Ms. Dooley answered absolutely. Ms. Dooley noted that Council President Staver and Council Member Wojcik were very clear in their debate on how open they are to the process. Mr. Sipple said there are questions unanswered that the City Council is looking for answers or suggestions.

Ron Bastian stated that Mr. Kvenvold will seek very clear direction from the City Council on how to proceed. He thinks it will take several months to implement the changes.

Mr. Toomey asked how the City Council appeared to buy into the makeup of the new board. Several Park Board members responded that there was no discussion on this. Dr. Scanlon said that left a big dangling question whether the makeup of the new board will be as recommended by SAG or a citizen board. Ms. Dooley said this is clearly open for debate. Mr. Toomey stated that the Park Board could make very solid recommendations on this point.

Mr. Quinn referred to the reporting relationship of the MCC Director to the City Administrator or Assistant City Administrator and asked if this is a possibility. Ron answered yes and thinks it is a necessity. Mr. Quinn asked if City Administration is agreeable to this change. Ron answered yes. Dr. Scanlon pointed out that SAG does not recommend this but he feels it is essential. Mr. Toomey stated that in his conversation with City Council members, the report gave them the recommendation they wanted for a new governing board. They are using the report as the impetus to get a board focused solely on the MCC. Mr. Toomey commented that the other City boards report to the City Administrator.

Mr. Quinn stated that this begs the question of what will be different from what currently exists. Mr. Toomey responded replacing one board with another board, there is no difference. He has expressed that to the City Council members he has talked to. Mr. Quinn stated that you get back to that very question with every criteria you talk about.

Mr. Toomey pointed out that the City Administrator's new board recommendation is a streamlined version of the current MCC Advisory Committee.

	<p>Mr. Quinn stated that the reality is they will have the exact situation that currently exists. This makes him question if the Park Board did something wrong. Mr. Quinn does not understand why this change is happening.</p> <p>Ms. Dooley commented that this gives the City Council a chance to put in people that they really want on this new board. Mr. Quinn commented this is only the case if they do not follow the process that currently exists of people applying to sit on a board through the Mayor's Office and being appointed.</p> <p>Mr. Mortensen asked that the Park Board come to some agreement on the bullet points. Mr. Mortensen referred to bullet point #1 regarding the reporting relationship. He has heard that the City Council wants more direct influence on the MCC and he believes that changing the reporting relationship will create that environment. Mr. Mortensen stated that the MCC is a huge operation and having them report to the City Administrator does not bother him. Mr. Toomey pointed out that every other board reports administratively to the City Administrator. He questions why they would go against how every other board reports. Ms. Dooley stated that the idea of having the MCC Director report to the voluntary board is beyond ridiculous. The Park Board members in attendance were in unanimous agreement on bullet point #1.</p> <p>Mr. Mortensen referred to bullet point #2 regarding a new board being established. He noted that the MCC is a big operation and has a big impact on the community so he is okay with having a unique and separate board for the MCC. Dr. Scanlon stated that the current board has done a good job overseeing the MCC and it is important that a new board also does a good job overseeing the MCC. Ms. Dooley stated that a new board needs to have transparency in the process in which it is selected. There needs to be a clear direction of civic engagement and community needs as the SAG report is all about heads in beds. Mr. Toomey stated that the City Council is establishing a new board. This is a done deal. Ms. Dooley does not think the Park Board should state that a new board should be established. Ms. Dooley recommended stating that in the event of the establishment of a new board, we want transparency of process, etc.</p> <p>Mr. Mortensen referred to bullet point #3 regarding goals and expectations for a new board. Ms. Dooley feels this is critical. Mr. Toomey noted that this may be what Mr. Kvenvold will ask the City Council for direction on. Ms. Dooley agrees with bullet point #3 and would like to add transparency of process and maintaining civic engagement. Mr. Toomey said that is noted in bullet #5 regarding the representation of the new board and</p>
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	<p>the intent to provide citizen representation. Ms. Dooley does not think this implies civic engagement. She is concerned with the only metric used being heads in beds. Mr. Toomey noted that the SAG report is going to be handled by the new board. The Park Board's involvement should be how this new board will be structured. Ms. Dooley noted that citizens can be picked from different wards and they can all be business people but if the Park Board does not state that the core, fundamental process is to maintain civic engagement in the MCC, there is no direction. Mr. Mortensen agrees with Ms. Dooley. Dr. Scanlon said the MCC was the Mayo family's gift to the community and wanted the MCC to be civic and culturally minded. Mr. Toomey stated that these values have been upheld by the Park Board for all of these years and that should continue. Ms. Dooley feels the third bullet is the place to remind the City Council of civic and cultural engagement of the MCC. Mr. Mortensen said this could be a bullet itself. Mr. Toomey said the Park Board has kept that very much in mind over the years. Ms. Dooley feels we need to recognize the intent of the Mayo family's gift of the MCC and their wish to maintain civic engagement, cultural opportunities, etc. Mr. Toomey suggested reminding the City Council that the Park Board has overseen the MCC since 1938. While times have changed, it is important that a new board recognizes the Mayo family's gift and upholds the tradition of the Mayo family and their wishes for the facility. Mr. Toomey feels this could be a strong lead off point. Mr. Quinn again asked what has changed or what will change by replacing one board with another board. He said that history has not changed and nothing has changed in the City.</p> <p>Mr. Sipple asked how we make the point that a new board should be set up using the same process as other City boards are set up. He asked how the Park Board makes the recommendation to get a good mix of citizens and not just stakeholders. Mr. Toomey suggested recommending that the process be kept the same as other City boards where people apply through the Mayor's Office and the Mayor forwards appointees to the City Council for approval. Mr. Quinn pointed out that Mr. Kvenvold recommended that two members be appointed by the Mayor with the remaining members coming from other groups. Mr. Toomey noted that Mr. Kvenvold took the advisory committee set up. Mr. Quinn pointed out that Mr. Kvenvold has recommended a nine member board and listed the member representation as recommended by Mr. Kvenvold. Dr. Scanlon said that this is not a bad starting point. He cautions conflict of interest and civic mindedness of the potential appointees. Mr. Toomey said that if applicants go through the Mayor's Office, the Mayor could wade through the conflict of interest. Mr. Quinn noted that we all sign an ethics form each year. There may be a conflict if a hotel/motel</p>
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	<p>representative on the board is making recommendations on fees/charges, etc. Dr. Scanlon noted that members should recuse themselves if there is a conflict of interest on an issue.</p> <p>Mr. Mortensen suggested recommending the membership of the new board be nominated through the standard board nomination process (apply/recommended appointment through Mayor's Office) and not just be appointed. Mr. Mortensen recommended that the new board needs to have community/civic minded members of the board. Mr. Mortensen said the Park Board is not recommending who should be on the board but rather recommending the appropriate nomination process in the spirit of maintaining the civic nature of the MCC. Mr. Toomey stated unless the Park Board feels strongly that certain groups should be part of the new board. If the Park Board supports Mr. Kvenvold's breakdown of the membership, we could support that breakdown but recommend that the members be appointed through the standard board nomination process. Mr. Mortensen suggested starting with how the new board should be appointed and then if we agree with the recommended list as outlined by Mr. Kvenvold, we can let that be known.</p> <p>Mr. Toomey inquired if a City Council member should sit on the new board in an ex-officio capacity. Mr. Mortensen responded that he is fine with that. Dr. Scanlon responded that it may help maintain communication by having a City Council member on the new board. Ms. Dooley inquired about City Administration serving on the new board. Mr. Toomey responded that the new board would report to the City Administrator. He would assume the City Administrator or a representative would be present at every meeting, similar to Ron being present at every Park Board meeting.</p> <p>Mr. Quinn asked if the new board would be led by the City Administrator or Assistant City Administrator. Mr. Toomey feels the new board should be led by an elected member of the board. He thinks the City Administrator should be sitting at the table as he can direct staff at the behest of the board. Mr. Quinn said that this ties into the MCC Director being a direct report of the City Administrator. Ms. Dooley clarified that the City Council member would be an ex-officio member, non-voting, and not the president of the board. Dr. Scanlon commented that we can make that suggestion. He does not feel too strongly about the issue but would support it if that is the consensus of the Park Board. Mr. Toomey said there would be no perceived lack of communication if a City Council member serves on the board. He is not concerned if they are a voting member or not. Mr. Mortensen said the Park Board should suggest a City Council member serve on the new board in an ex-officio, non-voting capacity and they can take it from</p>
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there. The Park Board members in attendance were in unanimous agreement on this recommendation.

Mr. Quinn referred to bullet #4 regarding the new board implementing the SAG recommendations they feel are appropriate. Ms. Dooley stated that she does not agree with or support this bullet. Dr. Scanlon stated that there is enough in the SAG report that he does not agree with to support this bullet. Dr. Scanlon provided his input on the recommendations in the SAG report that he does not agree with. Mr. Toomey said he would not make any reference to anything in the SAG report. Mr. Quinn pointed out this was included in Mr. Kvenvold's memo and the Park Board has previously discussed it. Mr. Quinn said after you take the Park Board's suggestions, what is left of what has been recommended by SAG. Ms. Dooley stated the \$1 million. Mr. Toomey said the mixing of sales staff is his biggest issue with the SAG recommendations. He feels this is a recipe for issues in the long-term. Mr. Quinn asked if the SAG recommendations are eliminated, what is left. Mr. Toomey said he would not bring up the SAG recommendations and let the new board deal with and figure out the SAG recommendations. Ms. Dooley said to let the new board deal with the mess of the SAG recommendations. Mr. Quinn stated that if we suggest eliminating the SAG recommendations, why are we or they going through with this process. Ms. Dooley stated that the Park Board will not be held accountable. Mr. Toomey asked where the \$1 million that is recommended in the SAG report is going to come from.

Dr. Scanlon said that we all feel strongly about the mixing of sales staff with the RCVB, and asked if the Park Board should recommend very strongly that the authority to manage sales be kept with the MCC. Ms. Dooley does not think we should touch this issue. Mr. Toomey suggested stating that the Park Board will have no further comment on any additional SAG recommendations. He said that the Park Board does not agree with a number of the SAG recommendations. Ms. Dooley suggested stating that the Park Board does not support the SAG recommendations. Mr. Mortensen suggested stating the Park Board does not support a number of the SAG recommendations and leave it at that.

Mr. Quinn inquired about SAG being hired to do more work. Mr. Toomey has heard SAG may be hired back to try to implement the creation of a new board. Ms. Dooley feels the Park Board should make a comment on that. She asked if that has been decided. Ron answered no and stated that Mr. Kvenvold will ask for City Council direction. Ron noted that several City Council members have said it is a good idea to hire SAG back and others have said enough money has been spent. Ms.

	<p>Dooley asked if the Park Board should make a comment on hiring SAG back to do more work. Mr. Toomey answered no; he personally does not think we should. Mr. Toomey stated that the Park Board can strongly word that we have no further recommendations on the SAG report. Mr. Mortensen said until such time as the new board is established and we no longer are accountable for the MCC. Ms. Dooley feels the Park Board should comment on hiring SAG back for \$60,000.00 as it is insane. She feels it is our due diligence to comment on this. Mr. Toomey said to let the City Council spend the money if they want to. He feels the Park Board should make a positive recommendation on what we feel the new board should consist of. Ms. Dooley feels the Park Board should recommend that the City Council and City Administration can make these changes without the requirement of hiring SAG for an additional \$60,000.00. Ms. Dooley asked for weigh in on this. Dr. Scanlon said it is not our budget, not our business. He does not feel it is necessary to hire SAG back but it is not our decision.</p> <p>Mr. Mortensen will mold that statement in a closing paragraph. Something along the lines as the City Council and City Administration work through the transformative process, they should focus on engaging the new board and citizens of the community to achieve the final outcomes. Mr. Sipple likes ending on a positive note. Mr. Toomey said if the Park Board structures it right and recommends following the established City practices for the new board, it would preclude the City Council from needing to hire SAG. Ms. Dooley likes the idea of putting this in the closing.</p> <p>Dr. Scanlon inquired if the Park Board should comment on maintaining control of sales of the MCC. Mr. Toomey responded that if we comment on that, then we should comment on other things we disagree with. He feels we should point blank state that the Park Board has no further comments on the SAG recommendations. Ms. Dooley said we do not endorse the SAG recommendations. Mr. Toomey said we should let the City Council read between the lines and ask us for further comments if they choose to do so. He does not think we should take the report and comment on everything we do not agree with. Ms. Dooley does not feel the City Council will connect the dots with the statement that we have no further comments. Mr. Toomey does not think we have enough time to go through and comment on every recommendation in the report.</p> <p>Ms. Dooley asked how we move forward and put forth a document that we are all in support of. Mr. Quinn wondered if the minutes should be typed up and signed. Mr. Toomey suggested having Mr. Mortensen wordsmith his trial balloon</p>
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	<p>and send out. Ron stated that the document needs to be sent to him and he will forward it on. Ron asked who will draft a letter to the City Council. Mr. Toomey asked Mr. Mortensen to draft a letter on behalf of the Park Board and send it to Ron. Mr. Mortensen agreed to this. Mr. Toomey stated that the letter is for the C.O.W. meeting on Monday and we need to get the letter to Mr. Kvenvold early so it can be sent out with the C.O.W. agenda. Mr. Quinn wondered about answering questions. He said we have not talked about the SAG recommendations as we do not feel it is our position to do so. Mr. Toomey responded that we as a board talked about the SAG recommendations, we had disagreement on the recommendations, and felt it was not our place to take any stand on the recommendations. He does not think we need to go into this any further than that. Dr. Scanlon commented that the Park Board will not be the ones implementing the recommendations. Ms. Dooley stated that there was not disagreement within the Park Board on the SAG recommendations as stated by Mr. Toomey. Mr. Toomey clarified that as a board, we do not support a number of the SAG report recommendations. Mr. Mortensen suggested stating that the Park Board believes there are a number of suggestions that are inappropriate for our community. Mr. Toomey said the Park Board felt they would not comment on the SAG recommendations. Ron suggested that the Park Board offer their professional expertise to the creation of a new board. The Park Board members in attendance were in agreement to include this statement towards the end of the document.</p> <p>Mr. Toomey and Ron noted that the Park Board is still in charge of the MCC until an ordinance change is made. Mr. Toomey suggested stating upon ordinance change, the Park Board would like to offer their professional expertise to the creation of a new board.</p> <p>Mr. Mortensen referred to his suggested timeline. He pointed out that Council Member Snyder was insistent on having a timeline. Ms. Dooley stated that she likes the timeline and feels it should be included. Ron said he likes having a timeline. Mr. Toomey suggested including in the document that the Park Board recommends a suggested timeline as follows.</p> <p>Mr. Sipple inquired as to when Mr. Kvenvold will be asking his questions to the City Council. Ron answered Monday at the C.O.W. meeting. He noted that Mr. Kvenvold is looking for very clear direction from the City Council on the process.</p> <p>Mr. Toomey stated that he questioned why the Park Board was having this meeting but he is impressed with what has been accomplished at the meeting. He likes including the 75 years</p>
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	<p>that the Park Board has overseen the MCC, the Mayo family's gift and civic and cultural wishes for the facility, and being positive.</p> <p>Mr. Quinn said we have made huge investments in the MCC over time and why this latest addition requires this change is beyond him.</p>
ADJOURN	<p>With no further business, the meeting was adjourned at 5:50 p.m. on a motion from Mr. Mortensen, seconded by Ms. Dooley.</p>